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 8      Attorneys for Defendants  
 9      Nth Connect Telecom, Inc. and Steven Chen

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 11     UNITED STATES DISTRICT COURT  
 12     CALIFORNIA NORTHERN DISTRICT (SAN JOSE)

13     VLADIMIR A. BALAREZO, individually and     ) Case No. C 07 05243 JF (PVT)  
 14     on behalf of others similarly situated     )  
 15   Plaintiff,     )  
 16   vs.     )  
 17     NTH CONNECT TELECOM INC., and     )  
 18     STEVEN CHEN,     )  
 19   Defendants.     )  
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12     DECLARATION OF LINDA FRANCIS IN  
 13     SUPPORT OF DEFENDANTS' MOTION TO  
 14     DISMISS COMPLAINT, OR, IN THE  
 15     ALTERNATIVE, MOTION FOR SUMMARY  
 16     JUDGMENT

13     Date:   February 22, 2008  
 14     Time:   9:00 a.m.  
 15     Courtroom:   3

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 17     **DECLARATION OF LINDA FRANCIS**

18     I, Linda Francis, declare under penalty of perjury the foregoing is true and correct.

19     1.     I am the human resource manager for Nth Connect Telecom, Inc. This declaration  
 20     is based on personal knowledge. In my capacity as human resources manager, I am the one  
 21     responsible for compiling all records relating to these allegations.

22     2.     I make this declaration in support of defendants Nth Connect Telecom, Inc. and  
 23     Steven Chen's F.R.C.P. Rule 12(b)(6) motion to dismiss, or in the alternative, motion for summary  
 24     judgment pursuant to Rule 56.

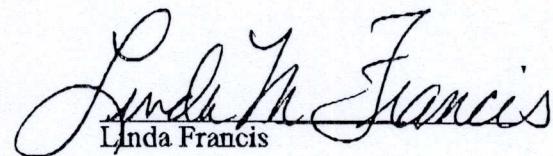
25     3.     Plaintiff Vladimir A. Balarezo worked for Nth Connect Telecom, Inc. from October

1 2006 through August 2007. True and correct copies of the Nth Connect pay stubs and earnings  
2 statements for Vladimir A. Balarezo are attached hereto as Exhibit "A." The pay stubs and earnings  
3 statements were prepared at the time the paychecks were issued, during the regular course of  
4 business, by compiling information from the signed timecards. Copies of all of Mr. Balarezo's pay  
5 stubs from an ADP computer program that we have access to in house.

6 4. Nth Connect timesheets are prepared on a weekly basis and signed by the employee  
7 and a supervisor. The timesheets are turned in to the supervisor and go to the payroll department,  
8 from which the paychecks are generated. The original timesheet are then stored in our payroll  
9 department in the ordinary course of business. True and correct copies of Mr. Balarezo's timesheets  
10 are attached hereto as Exhibit "B."

11 I declare under penalty of perjury under the laws of the State of California and the Federal  
12 Government that the foregoing is true and correct.

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14 Dated: January 7, 2008  
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Linda Francis

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